

SETH D. JOSEPHSON, ESQUIRE (SDJ5237)
Attorney At Law (ID 017871994)
1 Nami Lane
Suite 5
Mercerville, NJ 08619
Tel: (609) 716-7300
Fax: (609) 716-7401
Attorney for Defendants NEW JERSEY ASSOCIATION OF JUSTICE, NEW
JERSEY ASSOCIATION OF JUSTICE PAC

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL ACTION NUMBER 1:23-cv-22605-JMY

CALEB L. MCGILLVARY,

Plaintiff,

v.

NICHOLAS SCUTARI, NEW JERSEY
ASSOCIATION OF JUSTICE, NEW
JERSEY ASSOCIATION OF JUSTICE
PAC, et als.,

Defendants.

CIVIL ACTION
NOTICE OF MOTION AND PROOF OF
MAILING

Date of Hearing June 3, 2024

To:

New Jersey Attorney General's Office
Richard J Hughes Justice Complex
25 Market Street, PO Box 112
Trenton, NJ 08625

Caleb L. McGillvary, Inmate SBI#102317G
New Jersey State Prison
PO Box 861
Trenton, NJ 08625

STARR, GERN, DAVISON & RUBIN, P.C.
By: Ronald L. Davison, Esq.
105 Eisenhower Parkway, Suite 401
Roseland, NJ 07068-1640

PLEASE TAKE NOTICE, that on June 3, 2024 Seth D. Josephson, Esquire, Attorney for
Defendants New Jersey Association of Justice and New Jersey Association of Justice

PAC will move before the The Honorable John Milton Younge, Courtroom 15-B, 15613 U.S. Courthouse 601 Market Street Philadelphia, PA 19106 at 10:00 am or as soon thereafter as Counsel may be heard, for an Order:

Rule 12(b)6 -- Dismissing Complaint, Count One, with Prejudice For Failure to State a Cause of Action Upon Which Relief Can be Granted, and

Dismissing New Jersey Association of Justice and New Jersey Association of Justice PAC with Prejudice.

Counsel will rely upon the Certification and Brief filed herewith in support of this Motion. Oral argument is waived unless required to by the Court.

Oral Argument HAS NOT been ordered by the Court.

Dated: May 9, 2024

/s/ Seth D. Josephson

Seth D. Josephson, Esq.

Attorney for Defendants New Jersey
Association of Justice and New Jersey
Association of Justice PAC

I hereby certify that the foregoing June 3, 2024 Notice of Motion and Proof of Mailing has been forwarded to Plaintiff by United States Service

by first class mail, see above, and by the ECF system. I certify that the herein statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 9, 2024

/s/ Seth D. Josephson

Seth D. Josephson, Esq.

Attorney for Defendants New Jersey
Association of Justice and New Jersey
Association of Justice PAC